



98TH GENERAL ASSEMBLY

State of Illinois

2013 and 2014

HB4269

by Rep. Jerry F. Costello, II

SYNOPSIS AS INTRODUCED:

720 ILCS 5/19-5

from Ch. 38, par. 19-5

Amends the Criminal Code of 2012 concerning criminal fortification of a residence or building. Includes in the definition of "fortified condition" preventing or impeding entry through the use of video surveillance, motion sensing devices, or booby traps. Defines "booby traps" for purposes of the offense.

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CORRECTIONAL
BUDGET AND
IMPACT NOTE ACT
MAY APPLY

A BILL FOR

1 AN ACT concerning criminal law.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Criminal Code of 2012 is amended by changing
5 Section 19-5 as follows:

6 (720 ILCS 5/19-5) (from Ch. 38, par. 19-5)

7 Sec. 19-5. Criminal fortification of a residence or
8 building.

9 (a) A person commits ~~the offense of~~ criminal fortification
10 of a residence or building when, with the intent to prevent the
11 lawful entry of a law enforcement officer or another, he or she
12 maintains a residence or building in a fortified condition,
13 knowing that the ~~such~~ residence or building is used for the
14 manufacture, storage, delivery, or trafficking of cannabis,
15 controlled substances, or methamphetamine as defined in the
16 Cannabis Control Act, the Illinois Controlled Substances Act,
17 or the Methamphetamine Control and Community Protection Act.

18 (b) "Fortified condition" means preventing or impeding
19 entry through the use of steel doors, wooden planking,
20 crossbars, alarm systems, dogs, video surveillance, motion
21 sensing devices, booby traps, or other similar means. For the
22 purposes of this Section, "booby trap" means any device,
23 including but not limited to any explosive device, designed to

1 cause physical injury when triggered by an act of a person
2 approaching, entering, or moving through a structure.

3 (c) Sentence. Criminal fortification of a residence or
4 building is a Class 3 felony.

5 (d) This Section does not apply to the fortification of a
6 residence or building used in the manufacture of
7 methamphetamine as described in Sections 10 and 15 of the
8 Methamphetamine Control and Community Protection Act.

9 (Source: P.A. 94-556, eff. 9-11-05.)